

APPEAL NO. 022836
FILED DECEMBER 16, 2002

This appeal arises pursuant to the Texas Workers' Compensation Act, TEX. LAB. CODE ANN. § 401.001 *et seq.* (1989 Act). A contested case hearing was held on October 4, 2002. The hearing officer determined that the respondent (claimant) sustained a compensable injury on _____; that the injury did not occur while the claimant was in a state of intoxication; and that the claimant had disability from April 4 through July 24, 2002. The appellant (carrier) appeals the intoxication determination and its resulting effect on the compensability and disability determinations. The appeal file contains no response from the claimant.

DECISION

A timely appeal not having been filed, the decision and order of the hearing officer have become final pursuant to Section 410.169.

Records of the Texas Workers' Compensation Commission reflect that the carrier's Austin representative received a copy of the hearing officer's decision on October 11, 2002. Pursuant to Section 410.202(a) and Tex. W.C. Comm'n, 28 TEX. ADMIN. CODE § 143.3(c) (Rule 143.3(c)), for an appeal to be considered timely, it must be filed or mailed within 15 days, excluding Saturdays, Sundays, and holidays listed in Section 662.003 of the Texas Government Code, from the date of receipt of the hearing officer's decision. Applying these rules, the deadline for the carrier to file an appeal was November 1, 2002. The envelope containing the claimant's appeal reflects that it was mailed on November 4, 2002, and, therefore, is not timely.

Because the carrier's appeal was not timely filed, the hearing officer's decision and order have become final pursuant to Section 410.169 and Rule 142.16(f).

The true corporate name of the insurance carrier is **UNIVERSAL UNDERWRITERS INSURANCE COMPANY** and the name and address of its registered agent for service of process is

**BRAD SCHROEDER
ZURICH NORTH AMERICA
1222 MERIT DRIVE, SUITE 700
DALLAS, TEXAS 75251.**

Chris Cowan
Appeals Judge

CONCUR:

Gary L. Kilgore
Appeals Judge

Margaret L. Turner
Appeals Judge